

**§ 143B-279.3. Department of Environmental Quality – structure.**

(a) All functions, powers, duties, and obligations previously vested in the following subunits of the following departments are transferred to and vested in the Department of Environmental Quality by a Type I transfer, as defined in G.S. 143A-6:

- (1) Radiation Protection Section, Division of Health Service Regulation, Department of Health and Human Services.
- (2), (3) Repealed by Session Laws 1997-443, s. 11A.6.
- (4) Coastal Management Division, Department of Natural Resources and Community Development.
- (5) Environmental Management Division, Department of Natural Resources and Community Development.
- (6) Repealed by Session Laws 2011-145, s. 13.25(b), effective July 1, 2011.
- (7) Land Resources Division, Department of Natural Resources and Community Development.
- (8) Marine Fisheries Division, Department of Natural Resources and Community Development.
- (9) Repealed by Session Laws 2015-241, s. 14.30(III), effective July 1, 2015.
- (10) Repealed by Session Laws 2011-145, s. 13.22A(c), effective July 1, 2011.
- (11) Water Resources Division, Department of Natural Resources and Community Development.
- (12) Repealed by Session Laws 2015-241, s. 14.30(III), effective July 1, 2015.
- (13) Albemarle-Pamlico Study.
- (14) Office of Marine Affairs, Department of Administration.
- (15) Environmental Health Section, Division of Health Services, Department of Health and Human Services.

(b) All functions, powers, duties, and obligations previously vested in the following commissions, boards, councils, and committees of the following departments are transferred to and vested in the Department of Environmental Quality by a Type II transfer, as defined in G.S. 143A-6:

- (1) Repealed by Session Laws 1993, c. 501, s. 27.
- (2) Radiation Protection Commission, Department of Health and Human Services.
- (3) Repealed by Session Laws 1997-443, s. 11A.6.
- (4) Water Treatment Facility Operators Board of Certification, Department of Health and Human Services.
- (5) to (8) Repealed by Session Laws 1997-443, s. 11A.6.
- (9) Coastal Resources Commission, Department of Natural Resources and Community Development.
- (10) Environmental Management Commission, Department of Natural Resources and Community Development.
- (11) Air Quality Council, Department of Natural Resources and Community Development.
- (12) Wastewater Treatment Plant Operators Certification Commission, Department of Natural Resources and Community Development.
- (13) Repealed by Session Laws 2011-145, s. 13.25(e), effective July 1, 2011.
- (14) North Carolina Mining Commission, Department of Natural Resources and Community Development.
- (15) Advisory Committee on Land Records, Department of Natural Resources and Community Development.

- (16) Marine Fisheries Commission, Department of Natural Resources and Community Development.
- (17) Repealed by Session Laws 2015-241, s. 14.30(III), effective July 1, 2015.
- (18) Repealed by Session Laws 2013-360, s. 14.3(j), effective August 1, 2013.
- (19) Repealed by Session Laws 2015-241, s. 14.30(III), effective July 1, 2015.
- (20) Sedimentation Control Commission, Department of Natural Resources and Community Development.
- (21) Repealed by Session Laws 2011-145, s. 13.22A(d), effective July 1, 2011.
- (22) Repealed by Session Laws 2015-241, s. 14.30(III), effective July 1, 2015.
- (23) Repealed by Session Laws 1997-286, s. 6.
- (c) (1) Repealed by Session Laws 2002, ch. 70, s. 1, effective July 1, 2002.
- (2) There is created a division within the environmental area of the Department of Environmental Quality to be named the Division of Waste Management. All functions, powers, duties, and obligations of the Solid Waste Management Section of the Division of Health Services of the Department of Health and Human Services are transferred in their entirety to the Division of Waste Management of the Department of Environmental Quality.
- (3) Repealed by Session Laws 2011-145, s. 13.3(i), effective July 1, 2011.
- (d) The Department of Environmental Quality is vested with all other functions, powers, duties, and obligations as are conferred by the Constitution and laws of this State. (1989, c. 727, s. 3; 1989 (Reg. Sess., 1990), c. 1004, s. 31; 1991, c. 342, ss. 16(a), (b); 1993, c. 321, ss. 28(a), (b); c. 501, s. 27; 1995 (Reg. Sess., 1996), c. 743, s. 20; 1997-286, s. 6; 1997-443, ss. 11A.6, 11A.123; 2002-70, s. 1; 2007-182, s. 1; 2011-145, ss. 13.3(i), 13.25(b), (e), 13.22A(c), (d); 2012-143, s. 1(d); 2013-360, s. 14.3(j); 2014-4, s. 5(c); 2015-241, ss. 14.30(u), (III).)